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Attorneys for Defendant  
 SEQUENOM, INC.

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

NATERA, INC.

Plaintiff,

v.

SEQUENOM, INC. and  
 ISIS INNOVATION LIMITED,

Defendants.

Case No. 5:12-cv-00132-SI

**DECLARATION OF PETER E. ROOT IN  
 SUPPORT OF STIPULATION TO  
 (1) WITHDRAW MOTION TO  
 DISMISS/TRANSFER CASE;  
 (2) EXTEND DEADLINE TO ANSWER  
 AND FILE COUNTER-CLAIMS; AND  
 (3) CONTINUE CASE MANAGEMENT  
 CONFERENCE  
 [CIVIL LOCAL RULE 6-2]**

Current CMC Date: April 13, 2012  
 Time: 2:30 p.m.

Requested Date: May 11, 2012  
 Time: 2:30 p.m.

Judge: Hon. Susan Illston

**DECLARATION OF PETER E. ROOT**

I, Peter E. Root, declare:

1. I am an attorney admitted to practice law in the State of California (Bar No. 142348). I am a partner in the law firm of Kaye Scholer LLP and counsel for Sequenom, Inc. ("Sequenom"), the defendant in the above-captioned action. I have personal knowledge of the facts stated in this declaration, and if called as a witness I could and would testify competently thereto. This declaration is made in support of the concurrently filed Stipulation to (1) Withdraw Motion to Dismiss/Transfer Case; (2) Extend Deadline to Answer and File Counterclaims; and (3) Continue Case Management Conference (the "Stipulation").

2. As set forth in the Stipulation, Sequenom has agreed to withdraw its motion seeking an order dismissing this action or, alternatively, transferring this action to the United States District Court for the Southern District of California pursuant to 28 U.S.C. § 1404(a) (Docket No. 19, the "Second Transfer Motion"). In view of Sequenom's withdrawal of the Second Transfer Motion and the proposed new date by which Sequenom must answer and file any counterclaims, Sequenom, Natera, Inc. ("Natera"), and Isis Innovation Limited ("Isis") agreed that it would be preferable to wait to hold the Initial Case Management Conference until the pleadings are settled.

3. Prior to the Stipulation, the parties have not requested any previous time modifications in the case. The only time modification in the case thus far was effected by the Court on February 7, 2012 by way of a text entry on the case docket (Docket No. 9) indicating that the Initial Case Management Conference (previously set for 4/3/2012) was set for 4/13/2012.

4. The requested time modification set forth in the Stipulation would not have a significant effect on the schedule for the case, given that the Stipulation does not seek a substantial extension of time. The modification would have the effect of moving the dates set forth in the Court's Order Setting Initial Case Management Conference and ADR Deadlines (Docket No. 3), as described in the Stipulation and set forth in the Proposed Order also filed concurrently herewith.

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct, and that this declaration was executed on March 15, 2012 in Palo  
3 Alto, California.

4 /s Peter E. Root  
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